



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

September 1, 2016

TO: Laura Shell, Chair
Doug Smith, Vice Chair
David W. Louie, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Maria Masis, AICP 
Supervising Regional Planner
Zoning Permits East Section

**Project No. R2014-02411-(5) – Minor Conditional Use Permit No. 201400014
Oak Tree Permit No. 201400035 - Environmental Assessment No. 201400194
RPC Meeting: September 7, 2016 - Agenda Item: 6
Additional Materials**

The above-mentioned item is a request to construct a single-family residence on a hillside within the Altadena Community Standards District and includes one oak tree removal and encroachments into the protected zone of nine other oak trees. The request was approved by the Hearing Officer on April 19, 2016 and was appealed on May 2, 2016 by Randall Baer on behalf of the Canyon Crest Conservancy.

After the distribution of the hearing materials staff has received additional correspondence regarding this case. Overall, many of the letters received regarding this project bring up similar issues of concern. Staff has therefore prepared a spreadsheet which summarizes the main concerns and provides staff's response thereto. The applicant has also prepared responses to two of the recent letters received. All correspondence received since last week's distribution as well as the abovementioned spreadsheet is attached hereto.

If you need further information, please contact Maria Masis at (213) 974-6435 or mmasis@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SUGGESTED MOTIONS:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND ADOPT THE NEGATIVE DECLARATION PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I MOVE THAT THE REGIONAL PLANNING COMMISSION AFFIRM THE DECISION OF THE HEARING OFFICER AND APPROVE MINOR CONDITIONAL USE PERMIT NUMBER 201400014 AND OAK TREE PERMIT NUMBER 201400035 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

MM

Enclosures

Maria Masis

From: Stephen Kuhn <kuhn.s.r@gmail.com>
Sent: Wednesday, August 31, 2016 11:17 AM
To: Maria Masis
Subject: R2014-02411 responses
Attachments: 3577 Canyon Crest AOR 083016.pdf; R2014-02411_Baer_RPC_response.pdf; R2014-02411_Hickman_RPC_response.pdf

Maria,

Although we believe we have addressed in other responses and on our website (bit.ly/1VnrSrM) those statements included in the Moore, Trousdale, Bjornlie, Barnwell, Fabbro and Kuromiya letters newly submitted in the RPC package, we wanted to address some of the claims in the Baer and Hickman letters, attached.

In accordance with condition 3 of our oak tree permit, we have also attached a letter written by our Arborist of Record stating that we have retained him, in which he also provides some assessment of our project. Please include this in the Staff Memo for the Commissioners, and forward internally as appropriate. We will separately forward to the Forestry Division.

Regards,

Stephen Kuhn

Regional Planning Commissioners,

We are saddened by the misunderstandings Randall has exhibited in his letter. We have earlier addressed several such misunderstandings at previous meetings and hearings, and in previous letters he and his partner have written, included on slides 529-541 of the RPC package. While we have already addressed much of this content in earlier replies, we will again do our best to respond inline below.

My name is Randall Baer and I own the home directly across the street from Mr. Kuhn's proposed project.

The issues my neighbors and I bring up before you today are the very same issues we've been questioning since first learning of this project on July 18, 2015.

The thrust of Randall's argument in his first letter (included in the pages referenced above) and in the three Altadena town council meetings at which he and his partner spoke was that our lot is "unbuildable, protected and restricted," as he continued to describe it at our first DRP hearing. We were unable to derive any constructive feedback from this characterization to help influence our design.

My neighbors and I have taken the extraordinary step of appealing this case before your commission in hopes of a fair hearing of our objections to what we believe has been the county's flawed process for allowing new residential construction within the Altadena Community Standards Hillside Ordinance District. We believe that the intent and wording of these standards have been inadequately dealt with by the staff of the Regional Planning Department.

I personally believe that the applicant has been shown undue favoritism from the Planning Department by accepting his reasoning and proof that this proposed building is compatible in scale and size with the surrounding homes in my neighborhood.

The Altadena CSD lays out its intent in its coda, and then goes about defining enforceable, quantifiable provisions to satisfy that intent. Therefore, if the provisions are satisfied, the intent is satisfied. To do otherwise would be to make every development subject to an arbitrary and unknowable process.

Two examples of homes with 2.5 or 3 story facades facing the street and more visible than our own (which will be shrouded to a significant extent in oak tree canopy) exist within a 300ft radius of our lot - at 3556 Canyon Crest and 3535 Canyon Ridge (as seen on page 595 of the DRP package). These appear to have street-facing facades with equal or greater average height to our own street-facing facade, and 3535 Canyon Ridge appears to have an equal or greater maximum height.

Randall's own home has a higher average elevation above street grade at a similar setback to the road, and a similar maximum elevation above street grade.

Our home is less than 20% of the 9,000sqft permitted to us by Altadena community standards. It is also smaller than the more than 2,000sqft average size of those homes within 300ft of our lot (as seen on page 617 of the RPC package).

The neighborhood itself is eclectic, with several distinctive homes.

From the peak of the NE garage loft to the base of the SW corner his proposed building measures nearly 62' in height. On a level piece of land this is the equivalent of a 6-story structure.

As we tried to explain at our second hearing, height is measured vertically, not by spanning elevations more than 50 feet laterally. To make sloping land flat, it would be tilted. The same stepped stories above grade that are suitable on a down-sloping lot - and which in no place over the footprint number greater than two - when tilted with the flattening grade become two levels. This is the underlying rationality whereby the zoning and building community measures height continuously with respect to grade. A home may step down the hillside an arbitrary number of levels, and so long as the number of stories above this continuously measured grade numbers nowhere greater than two, and the height above this continuously measured grade nowhere exceeds the limit, the visual impact compared to pre-existing conditions is in family with that of a two-level home on a flat lot.

The wording and the intent of the Altadena Community Standards District Hillside Ordinance is to limit all residential structures to 2-stories.

Accurately, the CSD states (emphasis mine):

"The maximum number of **stories above grade** shall be two. A "basement" as defined in Section 22.08.020, B, shall be considered a story above grade, while a "cellar" as defined in Section 22.08.030, C, shall not be considered a story above grade."

I believe that current county staff has been remiss in their duties to the adjacent homeowners by accepting Mr. Kuhn's proof that his design is never more than 2 stories above grade. By staffs approval of his design with a street level garage encompassing a 22' loft structure, they have been negligent in their duty of ensuring that any 'new structure is compatible in size and scale with the characteristics of the surrounding neighborhood, protecting the light, air and privacy of existing homes'. (2010 Altadena Community Standards Hillside Ordinance)

The experienced code enforcer who served as our first hearing officer agreed that our home is nowhere more than two stories above grade.

Randall has also over-simplified the expression of height in our loft. The height from floor to ceiling descends from a maximum of ~19' in the NE corner, as depicted on our elevations, to the code-minimum head clearance at the stairwell.

County staffs allowance of Mr. Kuhn and his architect to manipulate the intent of the code by qualifying the main living area of their design as a 'cellar' is a stretch of interpretation beyond common sense. Mr. Kuhn's position that having 21% of the surface area of his main level in contact with organic material does not meet the commonly accepted definition of a 'cellar'. Having this fraction of the exterior surface area of this level abut mulch, rubble and dirt does not negate the obvious fact that the majority of the main living level is exposed to direct daylight and contains windows and exterior doors. I have been unable to find another existing cellar in Los Angeles county that has 7' high exterior windows and a balcony with a corner that is 20' above ground level. It is only because county staff has erroneously accepted Mr. Kuhn's manipulative interpretation of grade and "cellar definition" that his design is even remotely feasible.

This has been explained in several previous venues and we don't know how it might be explained more clearly than has been done in Attachment 1 of Staff Analysis. Randall has not explicitly addressed the underlying logic whereby he classifies the bulk of the main level as a cellar. The cellar is only that portion of the main level projected under the loft. The large majority of the main level is either the only story above grade, or the second of two stories above grade. Only for that portion of the home for which the number of floors is 3 does the lowest of these levels need to be assessed for compliance as a basement or cellar, which is defined in the code as that portion of a building that is more below grade than above.

In a further stretch of incredulity, Mr. Kuhn and his architect have even managed to come up with a level below their 'cellar' that is completely above ground level and is designed to be used as an office.

This is a part of the volume of our home whether we choose to make use of it or not, and using this volume is far less impactful to our neighbors than inhabiting a greater volume above street grade.

Randall has again misunderstood the fundamental definition of a story above grade. If one stands anywhere in this office level and looks up, one sees exactly one floor. When one stands on the lowest floor of a building and finds only one floor above, the building is at most two stories above grade at that point.

When one adds up all these levels: office level, 'cellar' level, garage level and loft level it is obvious that this is a 62' high, 4 level structure attempting to disguise itself as a "modest 2 story home" through manipulation of county code.

This was discussed at length at previous hearings. Again, height is measured vertically. Just as grade varies continuously over the footprint of a home, so too must the number of stories above grade be measured continuously.

Mr. Kuhn's "modest" design will have two and a half times the surface area of my 1300 square foot single story home. I am cognizant of the time and money that Mr. Kuhn has spent to date. The Canyon Crest Road parcel that Mr. Kuhn is attempting to build on is an unusual and difficult site.

Many of the hillside areas around the county of Los Angeles possess homes built in similar situations, with the same techniques we will employ.

With an upper level slope of 100% on the east side, an even steeper slope on the west side and a protected blue line stream at the bottom, this has been assumed to be an unbuildable piece of land for over 100 years. While I acknowledge Mr. Kuhn's right to own this piece of property I vehemently dispute Mr. Kuhn's right to build whatever he likes upon it.

We are not building "whatever we like." We are building a home that follows all quantified county and Altadena CSD rules, in a way that is sensitive to our neighbors. We could have proposed a design with one or two levels that also cut down all of the trees that will shroud our home in canopy as seen from Randall's house. Such a design may have been built more cheaply, but it was not the right design for our lot.

It is only through Mr. Kuhn's perseverance and creative manipulation of county code that his proposal has gotten this far.

It is unfortunate that more than two years after this DRP process began, and more than a year after our project was formally introduced to neighbors, we are still addressing many of the same points. The code is very clear, and its clear interpretation was upheld by our hearing officer, who is experienced in code enforcement. Rather than reconsider the grounds for his claims, or craft a compelling argument of his own within the code's framework, we have been saddened that Randall has chosen to ascribe our several approvals to favoritism.

While the majority of Mr. Kuhn's 40,000 sq. ft. parcel is unsuitable for construction of any kind, this square footage figure has allowed him to manipulate county code to the maximum limits. Without this abundant, but unbuildable area, Mr. Kuhn's design would be constrained in both height and setbacks. His canyon-side property is not the equivalent of a typical flat lot and should not be treated as such.

Our home would be permitted the same quantified thresholds even if the entirety of the canyon bottom

and all area west of it were removed from our property, resulting in a more conventional aspect ratio in a ~100'x200' parcel.

I believe that undue favoritism has been shown Mr. Kuhn by several other Departments of the County with the intent of encouraging new construction over enforcing Altadena Community Standards and protecting the rights of existing neighbors. Too much latitude has been given in helping Mr. Kuhn get his design approved by the Department of Public Planning, the Department of Public Works, the County Biologist and the Department of Fire Department Forestry Division.

The smattering of early design development emails Randall and others have chosen to excerpt out of context do not give justice to the amount of work we have put into this process. Our early planning interactions with the DPW have continued as we pursued the plan check process for our home. Respectfully, Randall is in no position to assess these interactions accurately.

Contrary to countering opinions by certified specialists in these areas, these departments have repeatedly allowed this project to proceed and encouraged Mr. Kuhn to spend additional money on a project design that should never have been allowed to get this far.

Randall does not attribute what "certified specialists" have disputed any specific finding of the professional engineers and planners who have reviewed our project in accordance with county process. If he is referring to the arborist that our neighbors at 3589 Canyon Crest Road commissioned, we, the county biologist, county forester and our ISA-certified arborist (who is also an ISA-certified tree risk assessor) have in turn thoroughly addressed her questions and claims, several of which were based on substantial misunderstandings of our conditions or plans.

I strongly question whether the personal connection between Ms. Kulczycki's husband and the applicant's wife, Ms. Verma, has influenced Ms. Kulczycki's acceptance of the questionable reasoning by Mr. Kuhn; specifically, his definition of 'cellar'. Erik Kulczycki and Vandi Verma are both employed at the Jet Propulsion laboratory in Robotics Section 347. Additionally, they are linked as friends on Facebook.

We were deeply shocked and saddened that Randall would stoop to the level of personal attack on our planner, who has been nothing but fair, competent and courteous, even as our opposition's tone has grown increasingly uncivil. Vandi was unaware until Randall leveled this allegation that our planner's husband is a casual acquaintance from her JPL section of over a hundred people. There was no reason for us to ever inquire as to who our planner's spouse was. Our planner only met Vandi shortly before our first DRP hearing, and we had only mentioned in passing that we were employees of JPL (with a workforce of over 5000), not of a particular section.

When there is a family connection between a Planning Department Case Officer and an applicant the Case Officer should follow legal precedent and recuse themselves from direct involvement. The previous case officer, Troy Evangelho, had rejected Mr. Kuhn's proposal for being 4-levels, not 2.

On the contrary, he had asked for clarification and was never given a chance to agree or disagree with the evidence we provided, as he was assigned for only two weeks. The experienced code enforcer who served as our hearing officer stated that our project was "well within the confines of the regulations" and that "the right assessment had been made as to the number of stories above grade and the height that is allowed." The code leaves little room for interpretation. Randall and his lawyer have offered claims that require that height not be measured vertically, and that fundamentally misunderstand the definition of a story above grade, an elementary planning concept.

Ms. Kulczycki's email of July 9, 2015 acknowledges that the design is more than 2-stories and proposes consideration of a CUP process as a remedy.

As was clarified at our second hearing, this was offered as a logistical consideration. It would have been faster to get to hearing and through the appeal process, if we had argued for our home in this way. However, throughout design development, we assumed that all of the county and Altadena CSD rules were hard constraints. We did not even choose to think it possible to violate them. If the rules had been different, that would have been reflected in our design.

Within 9 days of assuming the case Ms. Kulczycki had approved Mr. Kuhn's 4-level design without requiring any changes to meet the 2-story requirement.

Five additional, specific examples of development favoritism by county departments to date are:

- Approving the applicant's circumvention of new hookup restrictions by Lincoln Avenue Water District by connecting an Altadena property to a City of Pasadena water supply.

Randall does not clarify how this shows favoritism. A home must be served by water but it is immaterial to a planning department as to which water supplier does so. The City of Pasadena serves many properties in Altadena, such that the forms we have filled out have a checkbox to distinguish city and county.

- Approval by the Department of Public Works to allow the applicant and his contractor to utility trench Canyon Crest Road for water and sewer without maintaining state minimum traffic lane widths.

Randall has chosen to take emails from early design development out of context without portraying the outcome of those discussions. We are in fact able to meet all county and occupational health requirements for maintaining lane width in our sewer extension, and this has been developed as the design progressed to actual plans. Had Randall chosen to engage, we would have been happy to clarify, as we have done at length in our response to Michael and Mindy Hickman, how those conversations resolved in our plans.

The water extension right of way is at the west edge of Canyon Crest and easily accommodates a single lane at all times. The hundreds of feet of utility trench excavation repairs on lower Canyon Crest (for LAWC's east edge right-of-way) bear witness to this.

- Approval by the Department of Public Works to allow the applicant a lesser easement in regards to The Meadows sewer siphon system. The applicant has taken undue advantage of a 50-year-old error by past county staff that did not officially record the easement of this vital sewer connection through the property and reduce the easement from 20' to 10'.

Modern sewer easements are expressed with a width of 10'. The DPW sewer maintenance division assigned what is conventional would the main have been built today.

- The erroneous granting of a construction encroachment by county staff into a designated, protected Oak Woodlands grove. These mature oak trees fall under the stated protections of both Los Angeles County and the State of California. Contrary to expert opinion, these legal protections are being circumvented to the detriment of both the trees and the surrounding neighborhood in favor of the development of a questionable project.

The LA county Oak Tree statute and Oak Woodland Management statute lay out a process that we are following. We are not "violating" a statute when we follow the processes it lays out.

Our neighborhood group has met with Mr. Kuhn several times with the hope of reaching a compromise regarding the height of his design.

To be clear, we have twice directly invited Randall and others with personally addressed letters to meet with us on our lot, first to introduce our project in July of 2015 and again after our first DRP hearing. Despite offering to make ourselves available on our website and three town council presentations, our only other interactions with Randall have been to respond to his letters and address his claims at the Altadena town council meetings at which he and his partner spoke, in which he argued that any one of four reasons would be sufficient to deny all development on our lot. The first time we met Randall was when we invited neighbors to meet after our first DRP hearing. Randall had never given us a constructive suggestion until after our first DRP hearing, and we explained why those suggestions (a pull-down stair in our loft and expanding our lowest office level to replace the loft) were impractical or not recommended by our arborist.

Each time we have been told that this is his Dream Home and since the design is under the 35' county code limit there is no legal requirement to modify the height.

We have only ever attempted to explain the rationale for our design when our opposition has made suggestions that were not feasible. Where we have been unable to justify some feature of our design, we have made a change. This is reflected in the update to our driveway and entryway made early this year in response to neighbor feedback.

I believe this is a major failing of the current county code in that its 'once size fits all' approach has allowed a perseverant applicant to creatively interpret code wording that is specifically intended to restrict steep lot construction. If the Regional Planning Commission allows this project to proceed as designed it will be setting a county wide precedent for new hillside development by allowing stacked multi-level construction, simply by qualifying living levels that are partially below ground as 'cellars'.

Multi-level hillside development has been widespread and is ongoing throughout the county and its incorporated cities, in accordance with applicable regulations and the clearly defined terms they employ. No new precedent will be set.

Mitigation Proposals: If Mr. Kuhn's garage were a standard 14' height it would be more compatible with the single story homes in our neighborhood. A 14' garage height would also reduce the necessity of cutting major branches from the adjacent oak trees thus mitigating some of the severe impact they will be subjected to during construction. Reducing the garage height through elimination of the enclosed loft would also allow the continued enjoyment of my current view of Millard Canyon instead of the blank steel side of Mr. Kuhn's garage loft.

This was discussed at length at one or more of the Altadena town council meetings, and at our second DRP hearing. Such a change would destroy the unifying aesthetic principle of our home – that the roofline echoes the grade. We have explored reductions in height and concluded that large reductions – while still preserving the attributes needed to function within building code – would begin to degrade what we and others find beautiful in our home.

The three trees nearest the street that will continue to shroud our home in oak tree canopy as seen from Randall's home will not be pruned. Randall has repeatedly claimed that our home would obstruct his view of the canyon, when our dense oak tree canopy already blocks any view across the volume of the home, as portrayed on slide 602 of the RPC package.

There is no reason Mr. Kuhn's roof design needs to encompass both garage, loft and main living area other than personal preference.

We chose to build a home designed by a noted architect experienced in hillside construction and integration with natural surroundings. The aesthetics of a home cannot be so easily dismissed solely

to satisfy a neighbor who would like to see nothing but oak tree canopy (and a power pole, and power lines) when sitting in a particular spot in his home. From other spots in his home Randall also looks out on the roof and HVAC equipment of our neighbors at 3589 Canyon Crest. We chose to keep the trees that Randall looks out upon across our lot, and to use a cladding color that will blend with the oak tree canopy.

By separating the garage from the main living area below, eliminating the excessive loft structure over the garage and building the main structure below road level Mr. Kuhn could meet many of the desires of the neighboring property owners and adhere to the current 2010 Altadena Community Hillside Development Standards.

We examined such a configuration early in design development but neither did it meet our needs nor was it aesthetically viable. At our second hearing, we described how our garage area had already been reduced to the bare minimum, and that using our loft for storage allowed us to set aside parking on our lot for neighbors, instead of parking our cars there ourselves. This has been a concern that several neighbors voiced and to which we have tried to be sensitive.

In spite of Randall's claims of impropriety, we have tried to maintain a civil tone with our neighbors, to do our best to address their concerns, and to continue to follow the lawful process in which we are engaged.

Respectfully,

Stephen and Vandana

I respectfully ask you, members of the Regional Planning Commission to reject the applicant's current design and require that a modified design be submitted that is compatible in height and volume with the existing homes of myself and my neighbors.

Sincerely,
Randall Baer
3588 Canyon Crest Road
Altadena, CA 91001

Regional Planning Commissioners,

We are saddened by the misunderstandings Michael and Mindy (hereafter MM) have exhibited in their letter. We have earlier addressed several such misunderstandings at previous meetings and hearings, and in previous letters they have written, included on slides 319-323 and 562-570 of the RPC package. While we have already addressed much of the content of his letter in earlier replies, we will again do our best to respond inline below.

We believe the proposed project referenced above is in conflict with issues regarding public safety and several items included in the Altadena Community Standards, Hillside Management, Oak Tree Protection and Significant Environmental Area L.A. County Ordinances.

We think the Oak Tree Permit for this project should be denied until or unless an Environmental Impact Report (EIR) is conducted for the subject property, considering the oaks are part of an Oak Woodland, and damage to any or all of the trees might contribute to habitat fragmentation and the decline and destruction of valuable natural and biological resources in an important and sensitive ecological zone.

Contrary to the applicant's opinion that the Wildlife Migration Corridor is "at the bottom of the canyon", much, if not most of the wildlife activity and travel occurs along the upper edges of Lower Millard Canyon at the cusp of the urban/wildlife interface. The proposed structure would block a crucial section of this biological resource conduit.

Those who map and seek to preserve or establish wildlife corridors in southern California (<http://corridordesign.org/dl/docs/ConceptualStepsForDesigningCorridors.pdf>) have assigned a suitability score of 1-100 to several different environments, including "riparian," "canyon bottom," "slope," "ridge-top," "urban," and "distance to paved road <50m". An urban environment (roads and houses) receives a score of 0, as most animals are not able or inclined to make their way across the noise, fences, walls, pools and pavement of developed areas. "Ridge-top" and "slope" receive low scores of 20, acknowledging the exposure and greater difficulty of travel. Likewise, environments with a distance to a paved road of <50m admit a greater human presence and are graded with a low score of 30. "Canyon bottom" receives a high score of 80 and "riparian" the highest score of all, 100.

Ours is an infill lot, as shown in the included attachment, which we presented at our first hearing. MM express concern for wildlife and yet choose to fence their lot across its entire frontage and maintain a pool in their backyard. Of the five existing homes on the west side of the canyon along lower Canyon Crest, three have pools (visible on page 616 of the RPC package). While we do not plan to fence our lot, most of these same neighbors likewise choose to fence their lots across the entire frontage.

We are constantly reminded of the negative effects of wildlife displacement and habitat fragmentation when we see coyotes, bears and mountain lions in our neighborhoods and yards killing our pets and threatening our children.

The applicant says, "The animals will find a way around [the building]", but that doesn't change the fact that this is a poorly chosen piece of property to develop on a variety of levels.

MM have both mis-quoted and removed the context. We have stated that, "The footprint of our home connects the riparian canyon environment to the largely fenced, developed lots and roads of lower Canyon Crest, Florecita Farms and NW Altadena. MM's own home two houses to the N is as much a potential wildlife corridor as our own. However, they choose to fence their home across its frontage. In contrast, we don't intend to fence our lot. **What animals choose to find their way** in this developed space will continue to be able to find a way across our lot, more easily than across those adjacent."

It is just one more example of environmental destruction and wildlife being forced out of an established path that has been in use for at least sixty-five, and probably hundreds of years due to the selfishness of one or two people who wish to put their desires above all else; and a system that allows this at the expense of the community and the environment.

We, as a society, need to become more aware and pay attention to the damaging effects that even relatively small alterations can have on an environment that we all must rely on and share.

Under the circumstances, we do not understand why DRP would hesitate in requiring an EIR before allowing development in such a fragile natural area.

We also feel the proposed development on the subject property violates several elements of the Altadena CSD which "are intended to ensure additional oversight on parcels where new development might pose risks to public safety and negatively impact the visual environmental character of the community of Altadena".

The Altadena CSD lays out its intent in the coda, excerpted above, and then goes about defining enforceable, quantifiable provisions to satisfy that intent. Therefore, if the provisions are satisfied, the intent is satisfied. MM may express disagreement with the quantified thresholds as they choose, but they are what the local group tasked with the CSD's enactment decided was fair. If different thresholds had been adopted to enforce responsible development, it would have been reflected in our design. We believe it is accurate to say that this minor CUP process and the resulting 800 page RPC hearing package has afforded the opportunity for additional oversight.

Specifically, the proposed structure is not "compatible in size and scale with the characteristics of [the] surrounding residential neighborhood" (CSD 22.44. 127 (A)). The design is aesthetically incongruous and conflicts with the aesthetic parameters of existing residences in the surrounding area. The proposed building site is on an extreme grade that greatly exceeds any other home sites in the vicinity.

We find this a puzzling claim from MM, since their own home extends one story below street grade into the canyon, abutting a 100% slope at its NW corner, according to the topo lines in the DRP GIS. The home at 3737 Canyon Crest is both nearer the canyon bottom and descends farther down into the canyon from the road (as shown on page 616 of the RPC package). MM's own driveway, additional paved parking area, detached garage, backyard, pool and part of the area for his home were created by leveling a flat pad in the hillside with hundreds or thousands of cubic yards of cut and fill, which was doubtless destructive to whatever trees and vegetation existed at the time. We have chosen a less disruptive approach for our home.

Altadena is a lovely mix of a large number of architectural styles, including several examples of true moderns, as well as many fine examples of mid-century moderns. There are homes in Altadena with great modern style by Gregory Ain, Frank Lloyd Wright, Jack Simison, Buff, Straub and Hensman and others. The Altadena Heritage Society celebrates the "radically modern" homes designed by Ain in Altadena's Highview block of houses (<http://altadenaheritage.org/the-aha-program/>). The first Altadena Heritage Area was a section of street on N Garfield: "It was chosen because the 20 small houses on the street, a subdivision built in an old olive grove in the 1930s, represented just about every architectural style then prevalent. You'll find Spanish to Cotswold cottage to traditional homes on North Garfield." Altadena has no single characteristic style, and we value the diversity and architectural freedom of the community.

Even in the immediate vicinity, the beautiful contemporary home built on the foundations of Boulder Crest (<http://altadenahistoricalociety.org/assets/boulder-crest.pdf>) on Canyon Crest is rightly celebrated by the Altadena Historical Society and can also be described as different from its neighbors. So too the historic Casa Roca (<http://hometown-pasadena.com/events/golden-poppies-at->

1905-casa-roca/101143) on Canyon Ridge, the second house to the east of our lot.

Such development would require intrusive and geologically disruptive building techniques to accomplish, and would be visually invasive and destructive to the natural character that defines the area.

The geotechnical soundness of our project has been established by professional engineers in the DPW GMED, as has been noted in several previous replies.

The project proposal suggests a modest two-story structure, though the plans reveal four distinct levels, and the applicant redefines terms such as "cellar", "basement", and "grade" to accommodate a structure that is essentially sixty feet high from the lowest point to the highest point, including an allegedly "non-living space" attic/loft with a ceiling high point of twenty-two feet and an eleven foot tall window for "storage".

We addressed at our second hearing the error that some neighbors have made in not measuring height vertically. The zoning and building community is very clear that height is measured vertically, not by spanning elevations more than 50ft laterally. MM have also over-simplified the expression of height in our loft. The height from floor to ceiling descends from a maximum of ~19' in the NE corner, as depicted on our elevations, to the code-minimum head clearance at the stairwell.

MM have variably expressed a concern that we might put a window in this space looking north onto their lot (in text included in the RPC package on page 568) and stated below that we should have such windows because our north wall is composed of three windowless facets (out of concern for neighbor privacy) and the sunken volume leading to our garage and entryway, most of which are obscured by oak tree canopy from neighboring vantages. We have tried to provide light in our loft and the garage it opens onto without impacting our privacy or the privacy of neighbors, by obscuring this sole street-facing window in oak tree canopy.

The entire north face of the planned structure consists of large blank walls, contrary to the Hillside Management standards that require "structures incorporate articulated surface faces instead of flat blank walls".

It appears the applicant also wishes to sidestep public safety, as evidenced in his May 21, 2015 email exchange with Juan Sarda of DPW, regarding traffic lane restrictions on Canyon Crest Road during construction, in which he (the applicant) "assumes" a two foot trench in the street, with a four foot tape off past the edge of the trench, which would restrict the only open traffic lane to eight feet wide at one point (two feet less than the minimum ten foot requirement); the applicant suggests to Mr. Sarda, "Maybe we could fudge the tapeoff by 1ft in this area and call it good enough?". To pose such a question clearly demonstrates a lack of understanding of the area dynamics and a complete disregard for the safety of the two hundred plus residents of The Meadows, who rely on the already narrow Canyon Crest Road as the only route to and from their homes, as well as the only ingress/egress for emergency vehicles to access an area of high fire danger.

MM and other members of the Canyon Crest Conservancy have used a Public Records Act request to pore over early developmental conversations, taking excerpts out of context and choosing not to portray the conversations in which the design matured. The context out of which this was taken is the observation that county workers do not use anything like a 4-ft tapeoff when they block off a single lane for several hours every 60 days to service the sewer siphon right at this power pole chokepoint (as we show in slide 619 of the RPC package). It was therefore reasonable to inquire as to the applicability of a regulation that our contractor had attributed without citation, and which we subsequently investigated.

In conversations that MM have chosen not to include, we worked with our civil engineer, contractor and the DPW to refine our composite utility plan along three vectors:

1. Our contractor ended up proposing not the more conventional 2ft mechanical trench excavation, but a cleaner and quicker slot trenching method that can excavate at widths less than 1ft, only taking what the 8" VCP sewer line requires to place.
2. It was established that there is sufficient room in the right of way to gently curve the line around the power pole.
3. The most recent version of the Cal OSHA governing document specifying longitudinal and lateral buffer space (aka tape-off distance) can be found here: http://www.dot.ca.gov/trafficops/camutcd/docs/CAMUTCD2014_rev1.pdf. As stated on page 1025, "the width of a lateral buffer space should be determined by engineering judgment." As we clarified with our contractor subsequently, his suggested 4ft was not based on any direct OSHA requirement, but what he preferred for "workers, equipment and material" for conventional excavation. The method we've baselined has lower requirements.

These refinements meet a desired 11-ft lane width, which is generous and specified for passage at higher speeds than will be present and for extended lengths (as opposed to a single chokepoint), given that the maximum legal width of any vehicle on the road is 8.5ft, and a typical car is less than 6ft in width. It should also be noted that the question about reducing tape-off from 4ft to 3ft at a chokepoint impacts not vehicles that pass, but the workers who operate within the tape-off on that side of the trench (for the short interval during which work at the chokepoint takes place).

It is also conventional to use steel channel and asphalt to make excavation traffic worthy at the end of work mid-afternoon. This can be performed quickly in the event of a serious emergency to make both lanes available. The length of work for such a short extension is also modest, estimated to be a week or so.

Rather than coming to us for clarification, MM have exhibited an unfortunate pattern of attempting refutable claims to discredit us. MM may continue in this vein at our hearing if they choose. However, we will draw attention to what will have with the benefit of this explanation (which we would have gladly given to them had they chosen to engage) evolved into a very clear indicator of intent.

If the project is allowed as planned, strict adherence should be maintained by DPW with regard to Altadena CSD Section 22.56.090. iv concerning any grading occurring during the rainy season, defined as October 15 through April 15 of the subsequent year. This is particularly important, as the proposed construction will disrupt/divert an active drainage channel that feeds into Millard Creek from Canyon Crest Road during the rainy season. The digging of several deep pits to accommodate supports for the proposed structure could also have negative erosive consequences in times of heavy rain.

We have addressed this since the earliest questions about our project, which we responded to with a section on our website (bit.ly/1VnrSrM). The soundness of the civil engineering for our project has been established by DPW Drainage and Grading.

In conclusion, I will mention my disappointment with Ms. Kulczycki as the County Planning Officer in charge of these applications. Though I expected an equal, balanced and objective interaction, she has clearly exhibited a bias in favor of the applicant and in opposition to current residents of the area who are not in favor of the project. During my very first telephone exchanges with her in July 2015, she gave me misinformation about the proposed project and misled me about her opinions of the applicant (Mr. Kuhn). She told me not to say anything about those conversations to anyone else. I found out

about the deception much later, after other facts came to light regarding email exchanges between she and the applicant; a workplace connection between Ms. Kulczycki's husband and Vandana Verma, and a statement she made to me regarding the project that she later denied to one of my neighbors.

We are particularly saddened by these statements. MM have chosen to make vague and unverifiable claims of a slanderous nature. Our planner has been professional and courteous to all parties involved, even as MM and others have exhibited persistent and irremediable misunderstandings despite the best efforts of the DRP, DPW, ATC and ourselves.

For our part, we have tried to maintain a civil tone with our neighbors, to do our best to address their concerns, and to continue to follow the lawful process in which we are engaged.

Respectfully,

Stephen and Vandana

Considering these and many other issues that have been brought up by several opponents, we feel RPC should revisit and reconsider the various approvals that have been granted this proposed project.

Respectfully,
Michael and Mindy Hickman
3617 Canyon Crest Road
Altadena, CA 91001
(626) 398-6471
vht@att.net



Boundary of Los Angeles National Forest

3737 Canyon Crest, almost 2x closer both vertically and horizontally to stream, and descends lower below street grade

Almost continuous residential fencing along Canyon Crest (brown)

Degraded oak woodland (as defined in OWCMPG) on nearly all Canyon Crest lots (light green)

Project footprint (yellow)

Meadows neighborhood, 227 mostly R1 homes

Unaffected riparian oak woodland (dark green)

Millard stream and wildlife corridor between San Gabriels and Arroyo Seco

Existing homes (orange)



Arsen Margossian, Certified Arborist (#WE-7233A)
Member, American Society of Consulting Arborists (ASCA)
Member, International Society of Arboriculture (ISA) &
Tree Care Industry Association (TCIA)
ISA Tree Risk Assessment Qualified (TRAQ)
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August 30, 2016



TO WHOM IT MAY CONCERN



Re: 3577 Canyon Crest Rd., Altadena, CA 91001

This letter is to certify that I, Arsen Margossian, have been retained by Mr. Stephen Kuhn, to act as the Arborist Of Record (AOR), for the entire duration of those activities permitted under oak tree permit 2014-00035 and minor CUP 2014-00014, at the above referenced location.

I have reviewed the site plans dated 4/25/16, oak tree report dated 8/2/14, arborist comments dated 4/18/16, oak tree permit conditions included in the approval package dated 4/19/16, and have also made a site visit. I am familiar with the area and have served as an oak tree consultant to another homeowner in the vicinity.

I am in agreement with Scott McAllaster (ISA WE-7011A) that the effects of oak tree encroachment cannot be expressed with certainty. However, it is my professional opinion that with the mitigation measures specified as conditions in the oak tree permit, all encroached trees have a good probability of surviving the described impacts.

I believe it will be possible to develop the site without significantly changing the special character of the oak woodland in the area, given the approximately 20 oak trees on or immediately adjacent to the property, the applicant's efforts to design a home that integrates into the existing environment, and the high density of oak woodland throughout lower Canyon Crest.

If I can be of further assistance, do not hesitate to contact me.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Arsen Margossian", written over a horizontal line.

Arsen Margossian

4337 Risinghill Road
Altadena, CA
91001

August 26, 2016

Kristina Kulczycki
Los Angeles County Los Angeles County Regional Planning Committee

re: Proposed Development at 3577 Canyon Crest, Altadena

As a long time resident of Altadena, I am distraught that the regional planning committee appears poised to ignore the community approved Altadena Community Standards Hillside Ordinance and the Oak Tree Protection Ordinance with regards to the proposed development at 3577 Canyon Crest in Altadena.

As a resident of the Meadows, a hillside neighborhood accessed via only one road – Canyon Crest, I have many reasons to be concerned about this project.

I attended the town council land use meeting many months ago – as did a large contingent of people from the neighborhood. The statements and comments voiced by the neighbors were overwhelmingly opposed to the development. Many of us are concerned about the impacts that this construction will have on a daily basis – both to the neighbors whose views will be blocked – as well as to the residents of the Meadows whose access in and out of the community will be impeded by an extended construction project.

I wonder how many 63' high four story homes there are in Altadena? I think a big concern about this house is the suitability for the neighborhood - it just does not fit in. I bought my house because the approach through the canyon was magical. I will be terribly sad if all the vacant lots (and there are several) get turned into McMansion homesteads, dwarfing homes from the 1930s - 1950s. In addition to the home being out of character for the area, I stress that we are likely looking at least one year of roadway access interruptions. There is no possible way to construct that home and keep all construction vehicles off of the road. Not only is it an inconvenience to be late to work repeatedly, it can be a very real safety issue in the event of emergency.

It is my understanding that a requirement of the construction agreement is that all construction vehicles and materials must be staged off of the road way. With such a small parcel of suitable land for parking – I just do not see how that will be possible. How can they pour a concrete driveway if the cement mixer must be parked on that same pad? Additionally, staging of the heavy vehicles and

construction supplies under the canopy of the protected oaks further violates the Oak Tree Ordinance.

Staging all construction vehicles on the landowner's property is virtually impossible. Also, general parking in the area is so limited, that adding another home creates more demand for street side visitor parking – extremely dangerous on this blind curve.

The Meadows residents had ongoing problems with film crews blocking the roadway – and we organized and worked with the county to put permanent restrictions on filming on Canyon Crest, eliminating road closures and other obstructions that posed a high risk to emergency vehicle access, etc. The same consideration must be taken with regards to this development and it's inevitable long-term impact on the roadway.

The Altadena Community Standards hillside ordinance was developed to protect our hillside views and the natural environment. The rights of the immediate neighbors whose views will be irreparably harmed should concern the committee greatly. The people of the community care about the environment. In an attempt to push this project through, the developers have minimized the true impact of their construction plans, which include removing and severely cutting back protected oak trees, as well as rerouting a natural drainage area on this extreme slope. This was a property that for good reason has long been considered un-buildable. This proposed development is above a riparian streambed and the corridor serves as access to many species that come down to the creek to drink. Construction of the proposed home eliminates this natural pathway for deer, bear, bobcats, coyotes and mountain lions.

Our position is that the Altadena Community Hillside Standards are not being enforced and that development is being given priority over the rights of existing homeowners. This is a 63' high, four story building pretending to be a modest 2 bedroom house.

I beg the planning committee to reconsider their decision on this development, and to honor the intentions of the Altadena Hillside Ordinance and the Oak Tree Protection Ordinance to protect what little natural habitat is remaining in Beautiful Altadena.

Respectfully,

Jane Szabo
Altadena Meadows Resident

Los Angeles County Regional Planning Commission.

August 23th 2016

My Name is John Lynch. My wife Michiko and I have lived at 3589 Canyon Crest Rd. for over 11 years. We are both active volunteers in the community and would like to remain there. I have worked in arboriculture and ecological restoration for over 20 years. It baffles us why the county would auction off an acre of Oak / riparian woodland that functions as an important watershed and wildlife corridor for just \$7,500! The quality of life for us and our neighbors is now at risk forever. My biggest regret in life is not buying this land to preserve it for the wildlife and entire community.

Millard Canyon is a very narrow and steep canyon that was carved out by fault lines and a perennial stream that connects the Angeles National Forest to the adjacent Hahamongna Watershed Park to the West. The San Gabriel Mountains are one of the steepest and fastest eroding mountain ranges in the world. John Muir met his match here once exclaiming. *"The Slopes are exceptionally steep and insecure to the foot of the explorer, however great his strength or skill may be"*.

My neighbors and I are all deeply concerned that our community standards are being totally disregarded by the staff of regional planning, and that a dangerous new precedent is about to be set. If the proposed single family residence at 3577 Canyon Crest Rd. is allowed to go ahead as planned, the flood gates will be opened for irresponsible new construction all over Los Angeles County. Developers will soon learn that they can also build multi-level homes on previously unbuildable slopes, just by claiming that conditioned living spaces are "cellars".

We strongly believe that the application to build a four story 63' high industrial style metal structure on the side of a cliff at 3577 Canyon Crest Road is the poster child for what the updated Altadena CSD hillside ordinance is trying to prevent.

The application for a "minor" CUP is deficient in the following ways:

1) There will be significant impacts to the environment. The S.E corner of the proposed structure was designed to be built directly on top of a streambed that feeds Millard creek. The county biologist made no mention of this fact. The property lies within the boundaries of a conceptual Significant Ecological Area that supports rare Flora and Fauna. Chemicals and construction debris from this steep streambed site will surely make their way down into Millard Creek and beyond into the Arroyo Seco. This project will harm aquatic life and pollute our water supply. The negative declaration skips over a much needed EIR to mitigate these impacts.

<https://youtu.be/ly04ZghEDCM>



Debris from Canyon Crest Rd. in streambed bed below proposed building site.



Oak killed by Drought on applicant's property.

The entire structure and staging area that is being proposed is within the protected zone of an Oak woodland that has already been negatively impacted by five years of severe drought. The drought has killed thousands of Oak trees all over the area, including Oaks trees on the applicant's own property that were not included in the Arborist report. The 32' height of the proposed garage alone will unnecessarily require the removal of 50% or more of 3 large Oaks canopies, this far exceeds any industry standards. For a size comparison, the proposed garage with no windows is only 3' shy of the much contested Aldi supermarket building on Lake Ave.



A 30' pole used for a height comparison of the proposed garage.



Large limbs needed to be removed to build 32' a garage.



Oak tree in drainage 42' S.W of proposed footprint.



View of proposed building site from adjacent Oak grove.

2.) There will be a significant impact on the aesthetic of the neighborhood. The proposed project was designed to look like a blank industrial warehouse with all metal surfaces and no windows facing our property. The proposed structure will tower over 6 times the height of our home at street level and will cascade another 31' into the canyon, well above and below all the other canyon side homes. Whenever we walk out on our patio or look out our living room windows we will literally be greeted by our neighbor's metal backside, instead of our current panoramic views. The proposed modern-industrial design would permanently change the aesthetic of this rustic neighborhood that was first developed in the early to mid-20th century. There are no other structures of this style that exist in our neighborhood or all of Altadena. No EIR has been done to date which is a violation of CEQA. Therefore the application is deficient and should be denied.

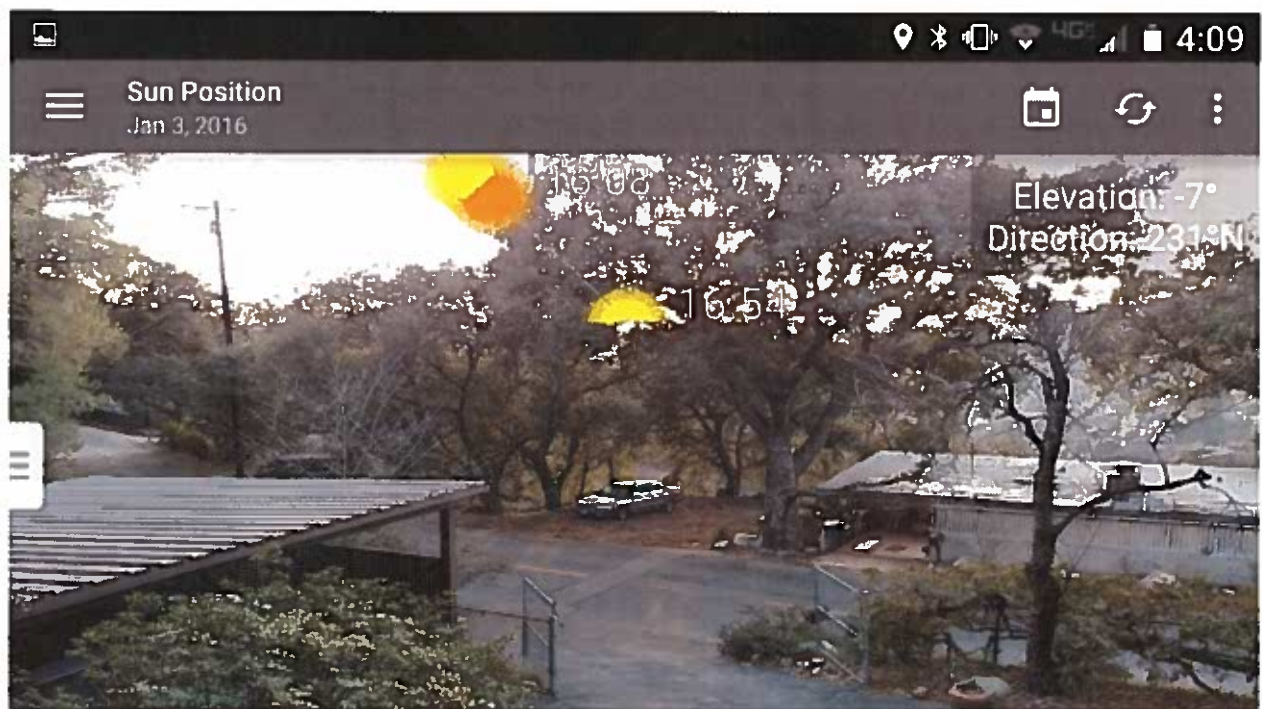


Current view from 3589 Canyon Crest's patio.



Same view after with the proposed N.W. corner of the "cellar" and balcony.

3.) The proposed structure is in violation of the 2010 Altadena CSD Hillside Ordinance. The neighborhood is zoned R1 for residential homes no more than two stories. The proposed structure is clearly four distinct stories with a single stairwell connecting all the levels. The creative redefining of the word "cellar" will set a new precedence for hillside development in Altadena and the entire county. This new definition alone could undermine the intent of the Altadena CSD hillside ordinance. The proposed 62' structure is completely covered with rolled metal siding which is not allowed under the Altadena CSD hillside ordinance. The structure will also block light, sunsets and canyon views of multiple current residents. This will decrease all of our property values. The large balcony off of the "cellar" will look directly onto several neighbors' private patios and living rooms which is an intrusion on our seclusion. The proposed project violates the Altadena CSD hillside ordinance in several ways. Therefore the application is deficient and should be denied.



The proposed 32' garage will permanently block sunsets and views from several current residences.

4.) Canyon Crest Road is a very narrow winding road which is the only way in or out of an extreme high fire danger area. Over 250 residents depend on it 24 /7. Trenching in the middle of the street to connect to the sewer or water without adequate space on either side for fire trucks to pass will endanger the whole community. The additional parking and staging area required for construction vehicles along Canyon Crest Rd. even temporarily, will create pinch points that could slow down or prevent residents from evacuating during a fire, earthquake or other disasters. This will also impede first responders from gaining access during an emergency when only seconds can make a difference. The staging area proposed by the applicant is inadequate.



If the county permits this project to go forward, the county should bear full responsibility for any loss of life or property due to increased congestion along Canyon Crest Rd. from to this project. There has been no traffic study or plan submitted to date. Therefore the application is deficient and should be denied.

Thank you for your service to the community and the greater good.

Sincerely, John P. Lynch and Michiko Lynch

3589 Canyon Crest Rd. 626 797-4456

The trenching and staging required to connect to utilities and the sewer system will negatively impact Oaks on adjacent properties within 200 feet of the project. The Large Oak in the public right of way across the street was not addressed in the original Oak tree report or mentioned by the county biologist.



Large Oak right next to sewer hookup.

Oak grove on adjacent property in a drainage directly below proposed footprint.

There are Several Oaks directly below the proposed S.W corner of the project that will be impacted by falling rocks, debris and a change in hydrology. These Oaks were not included in the Oak tree report. The Lot to the South West where the Oaks are located is unfenced, accessible and has no posted signs to keep out. The Arborist who wrote the report, The County Biologist and Forester all failed to locate these additional trees, possibly because the steep terrain was too intimidating. These unaddressed impacts to additional protected Oaks could severely reduce surrounding property and habitat values. Two 15 Gallon saplings are not adequate mitigation for the loss or decline of any mature Oaks on adjacent properties that are not owned by the applicant. The Oak woodland gives the neighborhood its unique character, and any unmitigated loss would greatly impact the aesthetic and environment. The loss of the large Oak on our property alone will significantly increase our energy costs and decrease our property value greatly. The entire protected zone of our specimen Oak is being proposed as the sole staging area for this project. Plywood and mulch alone cannot protect the root system from major trenching, compaction and drought. These impacts were not mentioned in the original Oak tree report. The Oak tree report is incomplete and does not address all the trees that will be negatively impacted. An Oak woodland management plan should have been required by county staff biologist. An Oak woodland management plan has not been prepared to date. The application is therefore deficient and should be denied.

SUMMARY OF GENERAL PUBLIC CONCERNS AND RESPONSES

Concern	Response
The proposed structure is described as a "two-story" home but plans show four distinct levels with a total low point and high point measurement at 60 feet.	Under the Altadena CSD, the maximum permitted number of stories above grade is two. A basement is considered a story above grade but a cellar is not considered a story above grade. The proposed project consists of two stories and one cellar, where 51% of its volume area is below grade. The first story consists of the garage and loft. The main habitable space is the second story (located below street grade level). The maximum proposed height of the structure is 34 ft. and 10 in., under the permitted 35 feet in the County Code. Maximum height is measured from natural grade when fill is proposed and measured from finished grade if cut is proposed. Due to the hilly topography of the subject property, the proposed residential structure is designed to minimize grading and contour according to the existing topography, which contributes to the elevation difference, not height, from western edge of the structure to the eastern edge of the structure.
Construction traffic impacts to Canyon Crest Road, especially for emergency vehicles.	Condition #28 of Minor Conditional Use Permit requires all construction equipment parking and staging areas to be located on the subject property. Condition #20 of Oak Tree Permit further prohibits equipment, materials, and vehicles to be stored, parked or operated within the protected zone of any oak tree. There is an existing 1,000-square-foot on-site flat area suitable for construction parking and other staging activities. The property line extends to the short concrete wall separating the subject property from the driveway of 3589 Canyon Crest. The housing pad will also be available to serve as a staging area and to keep construction activities off Canyon Crest Road. The pad is more than 30 feet deep and can accommodate a large cement truck. If lane closure is necessary for utility improvements related to the Project, the Department of Public Works requires that lane closure take into account minimum lane widths for emergency vehicle access. A single lane on Canyon Crest Road is regularly closed for scheduled cleaning of the sewer siphon that outlets near the edge of the property, which occurs approximately every 60 days.
Construction noise impact to nearby residences	The proposed project will be required to adhere to the applicable noise regulations under Chapter 12.08 of the County Code, which specify permitted hours, days of the week, and decibel levels for residential construction.

Concern	Response
Impact on oak trees	One 14-inch diameter oak tree will be removed that veers westward and intersect with the proposed residential structure. To address this impact, the County requires the applicant to plant two replacement oak trees that meet the conditions of the Oak Tree Permit. Encroachment will occur within the protected zones of nine oak trees due to the construction of the residential structure, driveway, friction piles for the grade beam foundation, and 6-foot high retaining wall. All excavation will be completed by hand for controlled root pruning and preservation. Minimal amount of grading will occur (15 cubic yard fill and 15 cubic yard cut, total 30 cubic yard). All excavated materials will be mostly balanced on-site and not hauled away. The threshold for a Hillside Management Area CUP for grading is a total of 2,500 cubic yards.
The lot contains more than 10% native tree cover and is an important reservoir for fish, wildlife, and biodiversity.	The Initial Study acknowledges that the site is part of an oak woodland. The woodland extends off site for some distance in all directions, and is represented on site in two locations--on the east end where development is proposed, and on the west end at the bottom of a steep ravine. Oak woodland on the eastern portion of the site is disturbed by dumping, construction of Canyon Crest Drive, parking, and soil compaction. It is also within 200 ft. of nearby residences so is subject to brush clearance requirements of County Fire and Agricultural Commissioner requirements. The woodland in the western portion of the site is relatively intact and contains habitat for canyon-bottom and riparian species. It is approximately 150 ft. distant and over 100 ft. lower in elevation than the proposed house and will not be directly impacted by construction of the house. The proposed residence would remove one tree and encroach on several others within a woodland supporting hundreds to thousands of trees. Replacement oak trees will be planted within more ecologically intact portions of the same woodland, within the riparian canyon bottom, among other oak and riparian trees. Monitoring for the project will be for 7 years in order to verify the success of replacement plantings. Due to this, there is no anticipated significant reduction of regional extent of oak woodland associated with the proposed project.
Fuel modification impacts on existing oak woodland or vegetation on the property	Fuel modification and brush clearance for the proposed residence would overlap substantially with existing brush clearance zones associated with the neighboring properties to the north and south.
Impact on the creek bed and water flow	The project is subject to LID requirements of the Department of Public Works and must demonstrate compliance with LID Development Standards prior to the issuance of grading permits. LID Development Standards require, among other considerations, that new developments mimic undeveloped stormwater runoff rates and volumes in any storm event up to and including the Capital Flood.

Concern	Response
Impact on wildlife habitat (i.e., endangered Arroyo Toad)	The County biologist has no records of arroyo toad on the project site or nearby. Potential suitable habitat exists in Arroyo Seco, and the 2001 Proposed Critical Habitat designation for arroyo toad included the Arroyo Seco upstream to Long Canyon, due to this potential. This area was subsequently removed from Final Critical Habitat for the species however, because no toads were found there.
Project will contribute to habitat fragmentation & decline of valuable natural and biological resources in sensitive ecological zone	Project footprint is outside the conceptual Significant Ecological Area. The existing oak woodland has been characterized as "highly disturbed" where previous grading, dumping, construction and parking activities have already reduced the ecological value of project site.

